

Hazardous Materials Bulletin

RAILROAD CROSSINGS AND HAZARDOUS MATERIALS TRANSPORTERS

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Both Michigan and Federal statutes require transporters of hazardous materials to stop before crossing a railroad grade. Michigan has adopted the Federal statute into state law via Act 181 (PA 1963, as amended), and has a similar statute in the Michigan Vehicle Code (Act 300, PA 1949, as amended). This bulletin will discuss who must stop and when.

What to Do

Certain vehicles, discussed below, must stop before crossing a railroad track(s) (see exceptions below) within 50 feet of the track and not closer than 15 feet from the nearest rail. Drivers must then listen and look in each direction for approaching trains. Drivers may proceed across the tracks only when it is safe and may not change gears while crossing.

Federal Motor Carrier Safety Regulations (FMCSR), Section 392.10

The FMCSR requires commercial motor vehicles (CMV) that are required to be marked or placarded under Title 49, Parts 100-180, to comply with the crossing requirement, except Classes/Divisions 1.5, 1.6, 4.2, 6.2, and 9. Further, any cargo tank motor vehicle, empty or loaded; cargo tanks with a product loaded at a temperature above its flashpoint; and cargo tanks operating under an exemption, must comply with the crossing requirements.

Michigan Vehicle Code, Section 257.669

The Michigan Vehicle Code mandates the driver of a motor vehicle that is required to be marked or placarded under Title 49, Parts 100-180, to comply with the crossing requirements. **There are no exceptions for any particular classes or divisions of hazardous materials.**

Section 257.669a

Adopts the provisions of 49 CFR parts 392.10 and 392.11. The sections further states that a vehicle may not cross a track unless.

The vehicle has sufficient undercarriage clearance.

The vehicle can be driven completely through the crossing without stopping.

Exceptions

Stops are not required at the following track crossings:

- Crossings under the control of a police officer or traffic-control devices, and traffic is directed to proceed;
- Abandoned railroad crossings (i.e., track covered or removed, all signs and signals taken down); any railroad crossing marked with a sign reading "Exempt."

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Michigan State Police Motor Carrier Division www.michigan.gov/motorcarrier

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